

FILED

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

SEP 19 2013  
CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY                      DEPUTY CLERK

INDACON, INC.,  
Plaintiff,

v.

FACEBOOK, INC.,  
Defendant.

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Cause No. SA-10-CA-00966-OLG

AMENDED SCHEDULING ORDER

Pursuant to Rule 16 of the Federal Rules of Civil Procedure, the Court issues the following Amended Scheduling Order:

1. The parties shall mediate this case on or before **November 6, 2013**, unless the parties seek an order from the Court excusing them from mediation.
2. All parties asserting claims for relief shall FILE their designation of testifying experts and SERVE on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B) by **October 4, 2013**.
3. Parties resisting claims for relief shall FILE their designation of testifying experts and SERVE on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B) by **November 8, 2013**.
4. All designations of rebuttal experts shall be FILED, and the materials required by Fed. R. Civ. P. 26(a)(2)(B) for such rebuttal experts, to the extent not already served, shall be SERVED by **November 22, 2013**.
5. An objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, within **fourteen (14) days** of receipt of the written report of the expert's proposed testimony, or **within fourteen (14) days** of the expert's deposition, if a deposition is taken, whichever is later.
6. The parties shall complete all FACT discovery on or before **October 18, 2013**. Counsel may by agreement continue fact discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.

7. The parties shall complete all EXPERT discovery on or before **December 6, 2013**. Counsel may be agreement continue expert discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.
8. All dispositive motions shall be filed no later than **January 3, 2014**. Dispositive motions as defined in Local Rule CV-7(h) and responses to dispositive motions shall be limited to **twenty (20) pages** in length.
9. Responses to dispositive motions are due **January 17, 2014**.
10. Replies to dispositive motions are due by **January 24, 2014**.
11. Joint pretrial order due by **January 31, 2014**.
12. The pretrial conference for this case is now set on **Wednesday February 5, 2014 at 10:30 a.m.**
13. The case is now set for jury selection and trial on **February 10, 2014 at 9:30 a.m.**

It is so ORDERED.

SIGNED this 19 day of Sept., 2013.

J. Luis L.  
United States District Judge Orlando L. Garcia